

REMARKS

Claim 1 calls for storing an advertisement for playback with content and automatically replacing the stored advertisement. One application for the claimed invention would be in connection with digital video recorders which record television programming and advertisements. At a later time when the material is replayed, the advertisement may be outdated and, thus, it may be desirable to replace the previously stored advertisement with a new version more appropriate to the current time frame.

It is respectfully submitted that Morrison fails to meet the claimed invention because he does not automatically replace the stored advertisement. This is most clearly explained in column 9, lines 11-14. There Morrison describes inserting pre-selected messages into respective breaks in the pre-selected program materials. Morrison is explicit that the messages which may be commercials are pre-selected and that the program materials to receive them are pre-selected. Thus, there can never be any replacing of a stored advertisement for playback with content with other advertisements. Therefore, reconsideration of the rejection of claim 1 is respectfully requested.

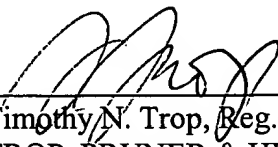
Column 2, lines 55-67, and column 6, lines 26-42, are cited in support of the contrary position. In column 2, Morrison does refer to updating commercials, but there is no replacement of commercials in Morrison. Similarly, in column 6 there is a reference to selecting commercials or messages, but this seems to be nothing more than the operation of pre-selecting the commercials that are subsequently inserted as described above and in column 9 of Morrison.

Therefore, reconsideration of the rejection of claim 1 is respectfully requested. On a similar analysis, claim 12 and its dependent claims should be in condition for allowance, as should claim 23 and its dependent claims.

In view of these remarks, the application should now be in condition for allowance.

Respectfully submitted,

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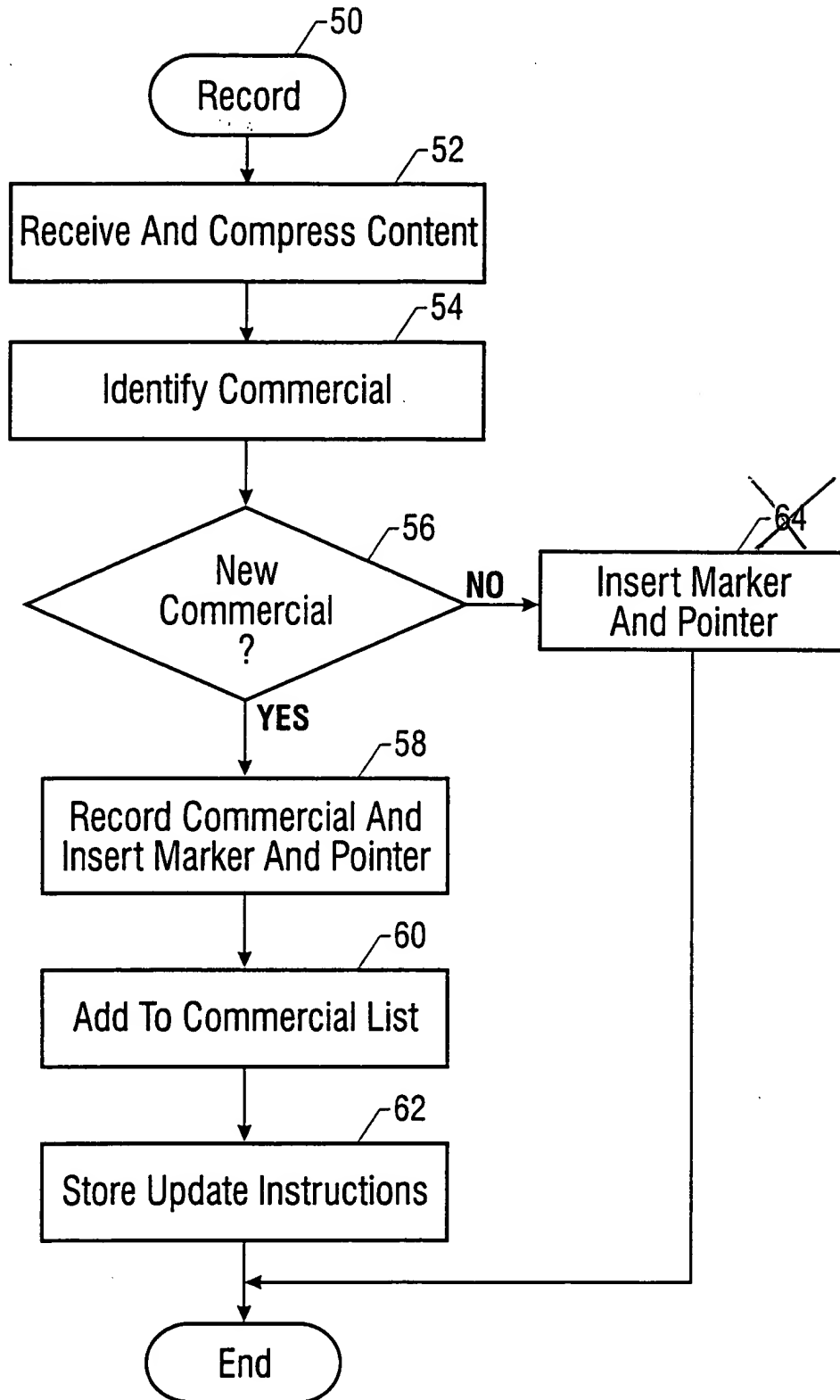


FIG. 2